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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT YAKIMA**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF
ANDREW R.W. HUGHES IN
SUPPORT OF PLAINTIFFS'
MOTION FOR
PRELIMINARY
INJUNCTION

NOTED FOR: September 17,
2020 at 10:00 a.m.
With Oral Argument

DECLARATION OF
ANDREW R.W. HUGHES ISO
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION
NO. 1:20-CV-03127-SAB

1 I, ANDREW R.W. HUGHES, declare and affirm:

2 1. I am an Assistant Attorney General with the Washington State
3 Office of the Attorney General. I have personal knowledge of the matters stated
4 herein, and if called as a witness, I would testify competently to this information.

5 2. Attached as Exhibit A is a true and correct copy of an internal USPS
6 document titled *Mandatory Stand-Up Talk: All Employees*, dated July 10, 2020.

7 3. Attached as Exhibit B is a true and correct copy of an internal USPS
8 presentation titled *PMGs Expectations and Plan*.

9 4. Attached as Exhibit C is a true and correct copy of a report from the
10 USPS Office of the Inspector General titled *U.S. Postal Service's Processing
11 Network Optimization and Service Impacts*, dated June 16, 2020, available at
12 <https://bit.ly/32f4RoB>.

13 5. Attached as Exhibit D is a true and correct copy of a USPS document
14 titled *Postmaster General Louis DeJoy Statement* dated August 18, 2020,
15 available at <https://bit.ly/320luE4>.

16 6. Attached as Exhibit E is a true and correct copy of a memo from
17 Postmaster General Louis DeJoy titled *Path forward*, dated August, 13, 2020,
18 available at <https://link.usps.com/2020/08/13/path-forward-2/>.

19 7. Attached as Exhibit F is a true and correct copy of publicly available
20 excerpts of a USPS presentation titled *Service Performance Measurement: PMG
21 Briefing*, dated August 12, 2020, available at <https://bit.ly/359uKb5>.

22 8. Attached as Exhibit G is a true and correct copy of a USPS
23 presentation titled *Congressional Briefing: Transportation & Service
24 Performance Updates*, dated August 31, 2020, available at
25 <https://bit.ly/3IYmCjQ>.

9. Attached hereto as Exhibit H is a true and correct copy of the Letter from Louis DeJoy to Senators Johnson and Peters and Representatives Maloney and Comer, dated August 31, 2020, available at <https://bit.ly/3btr319>.

10. Attached hereto as Exhibit I is a true and correct copy of a report from the USPS Office of the Inspector General titled *Service Performance of Election and Political Mail During the 2018 Midterm and Special Elections*, dated November 4, 2019, available at <https://bit.ly/3bxYm2R>.

11. Attached as Exhibit J is a true and correct copy of Defendants' Objections and Responses to Plaintiffs' First Set of Interrogatories and Requests for Production of Documents, dated September 6, 2020.

12. Attached hereto as Exhibit K is a true and correct copy of a USPS document titled *State and Local Election Mail – User's Guide*, dated January 2020, available at <https://bit.ly/2QWUEX4>.

13. Attached hereto as Exhibit L are true and correct copies of letters from USPS General Counsel Thomas J. Marshall to State election officials, dated July 2020, available at <https://wapo.st/2Feeqe3>.

14. Attached hereto as Exhibit M is a true and correct copy of a letter from Thomas J. Marshall to Washington Secretary of State Kim Wyman, dated July 31, 2020.

15. Attached hereto as Exhibit N is a true and correct copy of screenshots of the webpage *Election Mail* on USPS.com, available at <https://about.usps.com/what/government-services/election-mail/>. These screenshots were taken by my office on September 6, 2020.

1 16. Attached hereto as Exhibit O is a true and correct copy of a USPS
2 document titled *AIM Pacific Area Virtual Meeting*, dated August 13, 2020,
3 available at <https://bit.ly/3lvTS1A>.

4 17. Attached hereto as Exhibit P is a true and correct copy of a letter,
5 including enclosures, from Rickey R. Dean, Contract Administrator of the
6 American Postal Workers Union, to APWU President Mark Dimondstein, dated
7 June 17, 2020, available at <https://bit.ly/3m04UMD>.

8 18. Attached hereto as Exhibit Q is a true and correct copy of a USPS
9 document titled *USPS Equipment Reduction*, dated May 15, 2020, available at
10 <https://bit.ly/3m3YyMu>.

11 19. Attached hereto as Exhibit R is a true and correct copy of a
12 September 7–8, 2020, email thread between my colleague, Kristin Beneski and
13 Defendants’ counsel, Joseph Borson, on which I was copied.

14 20. Attached hereto as Exhibit S is a true and correct copy of an excerpt
15 of the transcript from the August 27, 2020 Hearing on Plaintiffs’ Motion for
16 Expedited Discovery.

17 21. Attached hereto as Exhibit T is a true and correct copy of a letter
18 from 31 U.S. Senators to Louis DeJoy, dated August 13, 2020.

19 22. Attached hereto as Exhibit U is a true and correct copy of a letter
20 from Sen. Gary Peters to Hal J. Roesch II, Commander-in-Chief of the Veterans
21 of Foreign Wars, dated August 13, 2020.

22 23. Attached hereto as Exhibit V is a true and correct copy of a letter
23 from USPS General Counsel Thomas J. Marshall to Reps. Maloney, Connolly,
24 Lynch, and Lawrence, dated July 22, 2020.

24. Attached hereto as Exhibit W is a true and correct copy of a letter from Thomas J. Marshall to Sen. Peters, dated July 22, 2020.

25. Attached hereto as Exhibit X is a true and correct copy of a report from the USPS Office of the Inspector General titled *Processing Readiness of Election and Political Mail During the 2020 General Elections*, dated August 31, 2020, available at <https://bit.ly/2F0r6pv>.

26. Attached hereto as Exhibit Y is a true and correct copy of a Request of the United States Postal Service for an Advisory Opinion on Changes in the Nature of Postal Services, Docket No. N2012-1, submitted December 5, 2011, available at <https://bit.ly/35fBlRq>.

27. Attached hereto as Exhibit Z is a true and correct copy of a Request of the United States Postal Service for an Advisory Opinion on Changes in the Nature of Postal Services, Docket No. N2014-1, submitted December 27, 2013, available at <https://bit.ly/2ZgUiiV>.

28. Attached hereto as Exhibit AA are true and correct screenshots of tweets by Donald J. Trump (@realDonaldTrump), dated Apr. 8, 2020, 5:20 AM; May 24, 2020, 7:08 AM; May 28, 2020, 6:00 PM; May 27, 2020, 4:11 AM; and July 30, 2020, 1:22 PM.

29. Attached hereto as Exhibit BB is a true and correct copy of the *Official Election Mail Postal Bulletin*, dated July 26, 2012, available at <https://bit.ly/2RiePzf>.

30. Attached hereto as Exhibit CC is a true and correct copy of *Your 2016 Official Election Mail Communications Plan Postal Bulletin*, dated September 1, 2016, available at <https://bit.ly/3imYMMt>.

1 I declare under penalty of perjury of the laws of Washington that the
2 foregoing is true and correct.

3 DATED this 9th day of September, 2020.

4
5 *s/Andrew R.W. Hughes*

6 ANDREW R.W. HUGHES, WSBA #49515

7 Assistant Attorney General

8 Complex Litigation Division

9 Attorney General's Office of Washington
10 State

DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 9th day of September, 2020, at Tumwater, Washington.

/s/ Jennifer D. Williams

JENNIFER D. WILLIAMS
Paralegal